

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP RCE
)	
Jae-Hong KIM)	Group Art Unit: 1655
)	
Application No.: 10/551,820)	Examiner: M. L. MCCORMICK
)	
Filed: February 10, 2006)	Confirmation No.: 3987
)	
For: COMPOSITION FOR PREVENTING)	
OR TREATING ALLERGIC DISEASE)	
USING BLACK RICE EXTRACT AND)	
ITS THERAPEUTIC USE)	

**MISCELLANEOUS COMMUNICATION REGARDING PROPER PAYMENT OF
SMALL ENTITY FEE FOR FILING OF REQUEST FOR CONTINUED
EXAMINATION (RCE) FILED ON FEBRUARY 9, 2009**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Earlier on this same date, Applicant's representative electronically submitted a Request for Continued Examination (RCE) Transmittal Letter along with an Amendment and Reply in the above-identified application. Due to an inadvertent error in the RCE Transmittal Letter, the box with the RCE fee for a large entity (\$810.00) was marked on the first page instead of the correct box with the RCE fee for a small entity (\$405.00). This inadvertent error was carried over on the second page of the RCE Transmittal Letter that indicates that \$810.00 is due and requests that this amount be charged to the credit card of Applicant's representative. However, when the filing was electronically submitted, Applicants correctly paid the fee of \$405.00 via charge to the credit card of Applicant's representative.

It is noted that small entity status has been claimed in the subject application. *See* TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE CONCERNING A FILING UNDER 35 U.S.C. 371 DATED SEPT. 30, 2005, at 2 ¶22. Thus, the amount of the small entity fee for an RCE is the \$405.00, which was paid in this instance.

In the event that there are any questions relating to this Miscellaneous Communication, or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that prosecution of this application may be expedited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: February 9, 2009

By:


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